

BUREAU OF INTERNAL AFFAIRS
Investigations Division – South


08 June 2015
Log #1073471

To: Juan Rivera
Chief
Bureau of Internal Affairs

From: Joseph Dickman # 1805
Sergeant
Bureau of Internal Affairs – General Investigations South


Subject: Approval of Investigation for Log #1073471

The attached investigation has been completed and submitted for your approval.



Joseph Dickman # 1805
Sergeant
BIA – General Investigations South

Approved:



Case Management Supervisor – Joseph Stehlik
Sergeant
Bureau of Internal Affairs – General Investigations

SUMMARY REPORT DIGEST
CHICAGO POLICE DEPARTMENTLOG NO
1073471TYPE
CRDATE OF REPORT
08-JUN-2015

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF, BUREAU OF INTERNAL AFFAIRS

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
DICKMAN, JOSEPH	9171	1805			121

REFERENCE NOS. (LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: DATE / TIME: 12-JAN-2015 12:00 BEAT: 1021

ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
SANDOVAL, JOHN D	9161	7573		010		M / S	1982	09-JUL-2007	YES	YES
DURAN, JOSE L	9161	13930		010		M / S	1977	27-MAR-2006	YES	YES
BOCANEGRA, MARCOS	9161	13191		010		M / S	1975	10-MAY-1999	YES	YES
ALONZO, SHAWN P	9161	10081		010		M / API	1980	31-OCT-2005	YES	YES
HONDA, DANIEL C	9161	3478		010		M / API	1980	28-APR-2003	YES	YES
ROMERO, MIGUEL A	9161	9955		010		M / S	1971	10-MAY-1999	YES	YES
LOPEZ, DAVID	9161	12685		010		M / S	1972	29-NOV-1999	YES	YES
VAZQUEZ, GERMAN J	9171	2316		010		M / S	1960	04-MAR-1985	YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				F / BLK	1984 / 30

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				F / BLK	1984 / 30

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
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* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

SUMMARY REPORT DIGEST

LOG NO

TYPE

DATE OF REPORT

CHICAGO POLICE DEPARTMENT

1073471

CR

05-JUN-2015

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

ALLEGATIONS

SEE ATTACHED

SUMMARY

SEE ATTACHED

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
3,5,6,10	6,7,8,12,14,16,18,20,22,24,26,28	8,11,16	29

FINDINGS - RECOMMENDATIONS

SEE ATTACHED

DATE INITIATED
(Date incident was received for investigation)

DATE COMPLETED (Date of this report)

ELAPSED TIME
(Total time expressed in days)

26-JAN-2015

08-JUN-2015

133

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

ALLEGATION:

Accused: Police Officer John SANDOVAL, Star #7573, Empl. # [REDACTED] Unit 010.

Allegation #1: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer John SANDOVAL #7573 entered her apartment with a search warrant and cut open her futon mattress.

Allegation #2: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer John SANDOVAL #7573, entered her apartment with a search warrant and opened and stepped on packages of food.

Allegation #3: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer John SANDOVAL #7573, entered her apartment with a search warrant and threw clothing onto the floor and walked on the clothes making them muddy.

Allegation #4: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer John SANDOVAL #7573, entered her apartment with a search warrant that did not specifically authorize entry to her apartment [REDACTED]

Accused: Police Officer, Jose DURAN Star #13930, Empl. # [REDACTED] Unit 010.

Allegation #1: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer Jose DURAN Star #13930 entered her apartment with a search warrant and cut open her futon mattress.

Allegation #2: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer Jose DURAN Star #13930, entered her apartment with a search warrant and opened and stepped on packages of food.

Allegation #3: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer Jose DURAN Star #13930, entered her apartment with a search warrant and threw clothing onto the floor and walked on the clothes making them muddy.

Accused: Police Officer Marcos BOCANEGRA, Star #13191, Empl. # [REDACTED] Unit 010.

SUMMARY REPORT DIGEST (continued)

Log #1073471

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Allegation #1: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer Marcos BOCANEGRÁ, Star #13191, entered her apartment with a search warrant and cut open her futon mattress.

Allegation #2: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer Marcos BOCANEGRÁ, Star #13191, entered her apartment with a search warrant and opened and stepped on packages of food.

Allegation #3: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer Marcos BOCANEGRÁ, Star #13191, entered her apartment with a search warrant and threw clothing onto the floor and walked on the clothes making them muddy.

Accused: Police Officer Shawn ALONZO, Star #10081, Empl. [REDACTED] Unit 010.

Allegation #1: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer Shawn ALONZO, Star #10081, entered her apartment with a search warrant and cut open her futon mattress.

Allegation #2: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer Shawn ALONZO, Star #10081, entered her apartment with a search warrant and opened and stepped on packages of food.

Allegation #3: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer Shawn ALONZO, Star #10081, entered her apartment with a search warrant and threw clothing onto the floor and walked on the clothes making them muddy.

Accused: Police Officer Daniel HONDA, Star #3478, Empl. # [REDACTED] Unit 010.

Allegation #1: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer Daniel HONDA, Star #3478, entered her apartment with a search warrant and cut open her futon mattress.

Allegation #2: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Police Officer Daniel

HONDA, Star #3478, entered her apartment with a search warrant and opened and stepped on packages of food.

Allegation #3: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED], Police Officer Daniel HONDA, Star #3478, entered her apartment with a search warrant and threw clothing onto the floor and walked on the clothes making them muddy.

Accused: Police Officer Miguel ROMERO, Star #9955, Empl. # [REDACTED] Unit 010.

Allegation #1: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED], Police Officer Miguel ROMERO, Star #9955, entered her apartment with a search warrant and cut open her futon mattress.

Allegation #2: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED], Police Officer Miguel ROMERO, Star #9955, entered her apartment with a search warrant and opened and stepped on packages of food.

Allegation #3: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED], Police Officer Miguel ROMERO, Star #9955, entered her apartment with a search warrant and threw clothing onto the floor and walked on the clothes making them muddy.

Accused: Police Officer David LOPEZ, Star #12685, Empl. # [REDACTED] Unit 010.

Allegation #1: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED], Police Officer David LOPEZ, Star #12685, entered her apartment with a search warrant and cut open her futon mattress.

Allegation #2: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED], Police Officer David LOPEZ, Star #12685, entered her apartment with a search warrant and opened and stepped on packages of food.

Allegation #3: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED], Police Officer David LOPEZ, Star #12685, entered her apartment with a search warrant and threw clothing onto the floor and walked on the clothes making them muddy.

Accused: Sergeant German VAZQUEZ, Star #2316, Empl. # [REDACTED] Unit 010.

Allegation #1: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Sergeant German VAZQUEZ, Star #2316, entered her apartment with a search warrant and cut open her futon mattress.

Allegation #2: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Sergeant German VAZQUEZ, Star #2316, entered her apartment with a search warrant and opened and stepped on packages of food.

Allegation #3: It is alleged by [REDACTED] that on 12-JAN-15, at approximately 1200 hours, at the location of [REDACTED] Sergeant German VAZQUEZ, Star #2316, entered her apartment with a search warrant and threw clothing onto the floor and walked on the clothes making them muddy.

INVESTIGATION

On 26-JAN-15 the undersigned received this case for investigation. 17-FEB-15 the undersigned interviewed the complainant, [REDACTED]. The complainant related that on 12-JAN-15 she arrived home to [REDACTED] and found her apartment "all tore up." The complainant stated that the back door had been damaged as if it had been forced open, everything had been thrown out of her closet, her clothes were taken out of her dresser and thrown on the floor, her bathroom towels were on the floor, and packages of food had been opened and on the floor in the kitchen. The complainant further stated that her futon mattress was cut down the side in an apparent attempt to look inside. According to the complainant, her clothes were muddy in that they had been stepped on, and the packages of food that were on the floor in the kitchen had to be thrown away in that they had also been stepped on. The complainant stated that the copy of the search warrant that had been left for her did not specify which third floor apartment the warrant authorized to be searched. The complainant explained that she lived in [REDACTED] and that although the search warrant did not identify the apartment number, it did cite the name a person, [REDACTED] which is the name of [REDACTED]. The complainant stated that she had no complaint about the back door damage in that it was not her door and the landlord had it repaired.

On 25-MAR-15 the complainant dropped off photographs to the undersigned which allegedly showed the condition of the complainant's apartment as she found it after the execution of the search warrant. Additionally, the complainant clarified that she was making an allegation that the officers entered her apartment without a warrant that specified which apartment the warrant allowed to be searched.

With respect to the allegations of the complainant regarding clothes allegedly thrown to the floor and muddied, boxes of food allegedly opened and stepped on, as well as a futon mattress that was allegedly cut open, the undersigned identified as the accused all of the entry officers including Sgt. German VAZQUEZ, and the affiant, P.O. John SANDOVAL. Additionally, the undersigned identified P.O. SANDOVAL as the accused relative to the complainant's allegation that the officers entered her apartment without a warrant that specified which apartment the warrant allowed to be searched.

All of the accused submitted reports addressing the allegations, and P.O. SANDOVAL provided a statement. None of the officers or the sergeant stated that they committed any of the actions that were alleged by the complainant. None of the officers or the sergeant stated that they observed any other members commit any of the actions that were alleged by the complainant. Officers SANDOVAL, DURAN, and HONDA did state that food items were already on the kitchen floor prior to their entry. P.O. DURAN stated that he did remove food items from the pantry and place them neatly on the floor.

The undersigned did review the photographs provided by the complainant as well as the entry and exit photographs that were taken by P.O. HONDA. The exit photographs did not show clothing on the floor, but did not show the entire floor area of the apartment. The photographs that were provided by the complainant did show some clothing on the floor, but it could not be determined from the photographs whether they had been stepped on or muddied. The photographs provided by the complainant did show a futon mattress that had apparently been cut down the side. The entry and exit photos did not show the futon mattress in a manner whereby it could be determined if it had been cut open. The photographs provided by the complainant, as well as the photographs taken by P.O. HONDA, did show that several items were placed together in a section of the kitchen floor outside of the pantry, and did not depict what was described by the complainant.

With respect to the allegation that the officers entered her apartment with a search warrant that did not specifically authorize entry to [REDACTED] the undersigned reviewed a copy of the Search Warrant and the Complaint for Search Warrant. The review of said documents revealed that the Search Warrant did not specify the specific apartment to be searched by number, and identified the premises to be searched only as the "Third floor apartment of a multi unit apartment building located at [REDACTED] The Complaint for Search Warrant revealed that information to obtain the Search Warrant was provided by a subject referred to as J. DOE, who described the specific location of the apartment in question as the rear door to the south at the third floor landing of [REDACTED] The Complaint for Search Warrant and the Search Warrant were each signed by Judge Angela PETRONE. On 21-APR-15 the undersigned conducted a location visit to [REDACTED] and verified that the rear entry of the [REDACTED] was to the south at the third floor landing, as stated in the Complaint for Search Warrant, and [REDACTED] was to the north. Therefore, in that it is clear that the Search Warrant was issued for the apartment specifically described in the Complaint for Search Warrant,

which was the complainant's [REDACTED] the Search Warrant did authorize entry into apartment into her apartment.

FINDINGS

Accused: Police Officer John SANDOVAL, Star #7573, Empl. # [REDACTED] Unit 010.

Allegation #1: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

Allegation #2: Unfounded – The allegation is false or not factual.

Allegation #3: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

Allegation #4: Unfounded – The allegation is false or not factual.

RECOMMENDATION: [REDACTED]

Accused: Police Officer, Jose DURAN Star #13930, Empl. # [REDACTED] Unit 010.

Allegation #1: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

Allegation #2: Unfounded – The allegation is false or not factual.

Allegation #3: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

RECOMMENDATION: [REDACTED]

Accused: Police Officer Marcos BOCANEGRA, Star #13191, Empl. # [REDACTED] Unit 010.

Allegation #1: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

Allegation #2: Unfounded – The allegation is false or not factual.

Allegation #3: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

RECOMMENDATION: [REDACTED]

Accused: Police Officer Shawn ALONZO, Star #10081, Empl. # [REDACTED] Unit 010.

Allegation #1: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

Allegation #2: Unfounded – The allegation is false or not factual.

Allegation #3: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

RECOMMENDATION: [REDACTED]

Accused: Police Officer Daniel HONDA, Star #3478, Empl. # [REDACTED] Unit 010.

Allegation #1: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

Allegation #2: Unfounded – The allegation is false or not factual.

Allegation #3: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

RECOMMENDATION: [REDACTED]

Accused: Police Officer Miguel ROMERO, Star #9955, Empl. # [REDACTED] Unit 010.

Allegation #1: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

Allegation #2: Unfounded – The allegation is false or not factual.

Allegation #3: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

RECOMMENDATION: [REDACTED]

Accused: Police Officer David LOPEZ, Star #12685, Empl. # [REDACTED] Unit 010.

Allegation #1: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

Allegation #2: Unfounded – The allegation is false or not factual.

Allegation #3: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

RECOMMENDATION: [REDACTED]

Accused: Sergeant German VAZQUEZ, Star #2316, Empl. [REDACTED] Unit 010.

Allegation #1: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

Allegation #2: Unfounded – The allegation is false or not factual.

Allegation #3: Not Sustained – Insufficient evidence either to prove or disprove the allegation.

RECOMMENDATION: [REDACTED]

DATE INITIATED: 26-JAN-2015

DATE COMPLETED: 08-JUN-2015

ELAPSED TIME: 133 Days

[REDACTED]
Joseph Diezmann #1805
Sergeant
BIA– Investigations South

Approved:

[REDACTED]
Case Management Supervisor – Joseph Stehlik
Sergeant
Bureau of Internal Affairs

Attachments for Log #1073471

No.	Type	No. of Pages	Narrative
1	FACE SHEET		
2	CONFLICT CERTIFICATION		
3	SWORN AFFIDAVIT FROM COMPLAINANT	1	Signed by Complainant
4	TO/FROM REPORT	1	Attempt to Contact Complainant
5	INTERVIEW - VICTIM	1	
6	SEARCH WARRANT	4	Warrant Documents
7	SEARCH WARRANT	3	Data Sheets
8	INVENTORY SHEET	21	Photographs
9	REPORT (OTHER)	2	Case Report
10	TO/FROM REPORT	1	Follow-Up with Complainant
11	PHOTOGRAPH	12	Victim's Apartment Photos
12	TO/FROM REPORT	1	Visit to Complainant's residence
13	ACCUSED NOTIFICATION OF ALLEGATIONS FOR VAZQUEZ, GERMAN		
14	ACCUSED REPORT	1	Sgt. Vazquez
15	ACCUSED NOTIFICATION OF ALLEGATIONS FOR DURAN, JOSE		
16	ACCUSED REPORT	19	P.O. Duran
17	ACCUSED NOTIFICATION OF ALLEGATIONS FOR HONDA, DANIEL		
18	ACCUSED REPORT	1	P.O. Honda
19	ACCUSED NOTIFICATION OF ALLEGATIONS FOR BOCANEGRA, MARCOS		
20	ACCUSED REPORT	1	P.O. Bocanegra
21	ACCUSED NOTIFICATION OF ALLEGATIONS FOR ALONZO, SHAWN		
22	ACCUSED REPORT	1	P.O. Alonzo
23	ACCUSED NOTIFICATION OF ALLEGATIONS FOR LOPEZ, DAVID		
24	ACCUSED REPORT	1	P.O. Lopez
25	ACCUSED NOTIFICATION OF ALLEGATIONS FOR ROMERO, MIGUEL		
26	ACCUSED REPORT	1	P.O. Romero
27	ACCUSED NOTIFICATION OF ALLEGATIONS FOR SANDOVAL, JOHN		
28	ACCUSED REPORT	7	P.O. Sandoval (Affiant)
29	CERTIFIED MAIL RECEIPT	6	Mail Documents